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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,567	11/19/2001	Carla Arlene Turner		1189

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09/29/2005

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/989,567

Examiner

Amy B. Vanatta

Applicant(s)

TURNER, CARLA ARLENE

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 29 April 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☒ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☒ B. Other See Continuation Sheet.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☒ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:


Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Continuation of 1(c) Other: The substitute specification is not in accordance with 37 CFR 1.121(b)(3) because it does not include markings showing all changes relative to the immediately prior version of the specification of record, pursuant to 37 CFR 1.126(c). The marked-up copy of the specification must show deleted text by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer characters. Double brackets must be used to show deletions where strike-through cannot be easily perceived. The marked-up copy must include underlining showing added text. An accompanying clean version of the specification must be supplied as well. The substitute specification must be accompanied by a statement that the substitute specification contains no new matter and an instruction to replace the specification with the substitute specification.

Continuation of 2(b) Other: The amendments to the Abstract have not been made in accordance with 37 CFR 1.121 since proper markings have not been provided accurately indicating deleted text and added text relative to the immediately prior version.

Continuation of 4(e) Other: The claim listing does not include claim 3, which remains pending. Also, the amendments made to claims 1 and 2 are not proper since the claims do not include markings indicating text which has been deleted and text which has been added pursuant to 37 CFR 1.121(c)(2). The markings should indicate changes which have been made relative to the immediately prior version of the claims. Also, applicant's claim listing appears on the same sheet with "Remarks" and therefore is not in compliance with 37 CFR 1.121(c)(1), which requires that the claim listing commence on a separate sheet which does not contain the text of any other part of the amendment.


A. Vanatta
Primary Examiner